

**DECLARATION OF OIL AND GAS NOTICE**

(Tax Map 7, Sandhill District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lie(s) under the surface of lands described in Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY  
CONSOL PENNSYLVANIA COAL COMPANY LLC  
RESERVE COAL PROPERTIES COMPANY

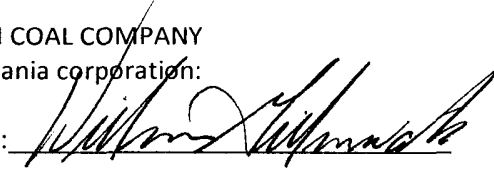
CONSOLIDATION COAL COMPANY  
McELROY COAL COMPANY  
CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 18 day of APRIL, 2011, by **William Gillenwater, its Assistant Manager**, by authority duly given.

Jan Pest  
MARSHALL County 01:33:20 PM  
Instrument No 1303754  
Date Recorded 04/28/2011  
Document Type O&G  
Pages Recorded 6  
Book-Page 730-599  
Recording Fee \$6.00  
Additional \$6.00

CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

By: 

Its: Assistant Manager

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 18 day of APRIL, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

CONSOLIDATION COAL COMPANY

a Delaware corporation:

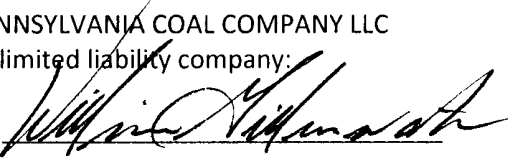
By: 

Its: Vice President

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 18 day of APRIL, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC

a Delaware limited liability company:

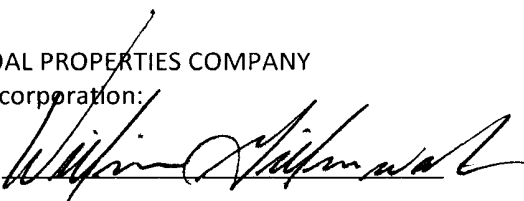
By: 

Its: Vice President

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 18 day of APRIL, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY

a Delaware corporation:

By: 

Its: Vice President

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 18 day of APRIL, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

MCELROY COAL COMPANY  
a Delaware corporation:

By: *William Gillenwater*

Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 18 day of APRIL, 2011, by **William Gillenwater**, its **Vice President**, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

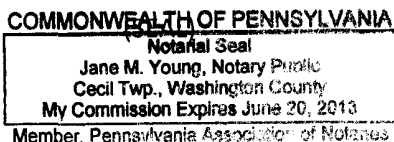
By: *William Gillenwater*

Its: Vice President

**NOTE:** PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF **WASHINGTON**

Before me, **JANE M. YOUNG**, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Assistant Manager** of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 18 day of APRIL, 2011.

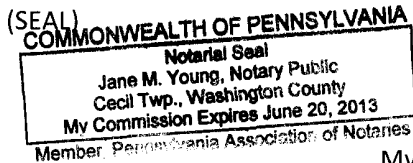


*Jane M. Young*  
Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
**WASHINGTON**  
 COUNTY OF \_\_\_\_\_

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 18 day of APRIL, 2011.

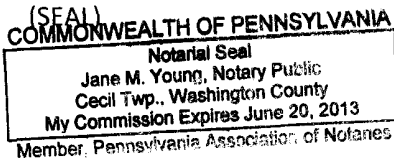


Jane M. Young  
 Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
**WASHINGTON**  
 COUNTY OF \_\_\_\_\_

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 18 day of APRIL, 2011.

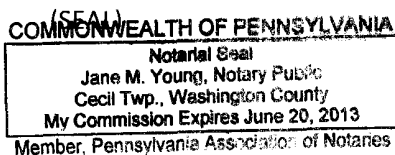


Jane M. Young  
 Notary Public

My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
**WASHINGTON**  
 COUNTY OF \_\_\_\_\_

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 18 day of APRIL, 2011.



Jane M. Young  
 Notary Public

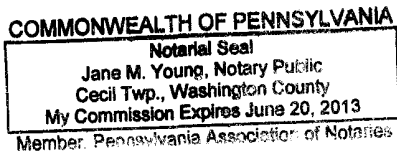
My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF **WASHINGTON**

Before me, **JANE M. YOUNG**, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 18 day of APRIL, 2011.

(SEAL)



*Jane M. Young*  
Notary Public

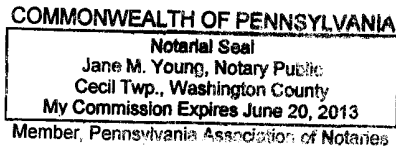
My Commission expires \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF **WASHINGTON**

Before me, **JANE M. YOUNG**, a Notary Public, on this day personally appeared **William Gillenwater**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **Vice President** of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 18 day of APRIL, 2011.

(SEAL)



*Jane M. Young*  
Notary Public

My Commission expires \_\_\_\_\_

This Document Prepared By:

Andrew S. Graham

WV Bar No. 9664

Steptoe &amp; Johnson PLLC

1085 Van Voorhis Road

PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

**EXHIBIT A - SURFACE TRACTS (McELROY MINE)**  
**Tax Map 7, Sandhill District, Marshall County, West Virginia**

|    | A       | B      | C          | D                          | E                       | F         | G     | H     | I                                 | J          |
|----|---------|--------|------------|----------------------------|-------------------------|-----------|-------|-------|-----------------------------------|------------|
|    | Tax Map | Parcel | Last Name  | First Name                 | Street Address          | City      | State | Zip   | Assessment Description            | Reference  |
| 1  | 7       | 1      | Toth       | John J. & Alice J.         | RD 3 Box 133            | Wheeling  | WV    | 26003 | 51.90 Grandstaff Run & O&G        | DB 564/409 |
| 3  | 7       | 2      | Toth       | John J. & Alice J.         | RD 3 Box 133            | Wheeling  | WV    | 26003 | 11.80 Grandstaff Run & O&G        | DB 564/409 |
| 4  | 7       | 3      | Toth       | John J. & Alice J.         | RD 3 Box 133            | Wheeling  | WV    | 26003 | 92.50 Sandhill & O&G              | DB 507/410 |
| 5  | 7       | 4      | Donato     | Sherron R., (Life), et al. | 3325 Archwood Avenue    | Cleveland | OH    | 44109 | PT 52.1339 A Sandhill             | DB 660/353 |
| 6  | 7       | 4.8    | Bowman     | Rodney H. & Tina Marie     | RR 3 Box 132C           | Wheeling  | WV    | 26003 | 11.0111 A Sandhill & O&G          | DB 613/620 |
| 7  | 7       | 4.10   | Donato     | Fred L. & Veonna L.        | PO Box 2147             | Wheeling  | WV    | 26003 | 8.9076A Sandhill & O&G            | DB 669/263 |
| 8  | 7       | 5      | Teets      | William H. Jr.             | RD 1 Box 78 Golden Road | Dallas    | WV    | 26036 | 62.306 Sandhill & O&G             | DB 573/552 |
| 9  | 7       | 6      | Francis    | Donald & Jo Ann F.         | RR 3 Box 131A           | Wheeling  | WV    | 26003 | 52.136 A Sandhill & O&G           | DB 443/298 |
| 10 | 7       | 7      | Provance   | Franklin J. & Elizabeth E. | RD 1 Box 81A            | Dallas    | WV    | 26036 | 74 Turkey Run & O/G               | DB 493/381 |
| 11 | 7       | 8      | Kahn       | Fazal                      | RR 1 Box 82             | Dallas    | WV    | 26036 | 102 Sandhill O&G & CBM            | DB 416/713 |
| 12 | 7       | 9      | Kahn       | Fazal A. & Asad A.         | RR 1 Box 82             | Dallas    | WV    | 26036 | 115.859 Turkey Run O&G & CBM      | DB 633/578 |
| 13 | 7       | 10     | Irwin      | Jay M. & Gina L.           | RR 1 Box 74             | Dallas    | WV    | 26036 | 101.1 A Turkey Run & O&G          | DB 640/441 |
| 14 | 7       | 10.1   | Hunter     | Thomas J. & Carol R.       | RR 1 Box 73             | Dallas    | WV    | 26036 | 11.74 A Turkey Run                | DB 635/354 |
| 15 | 7       | 10.2   | Kent       | Perry L. & Karen D.        | RD 3 Box 153E           | Wheeling  | WV    | 26003 | 19.27 A Turkey Run & O&G          | DB 655/237 |
| 16 | 7       | 11     | Harris     | Wayland W. & Carrie A.     | RR 1 Box 75             | Dallas    | WV    | 26036 | 18.54 A Sand Hill                 | DB 668/515 |
| 17 | 7       | 11.1   | Harris     | Jason R.                   | RR 1 Box 75             | Dallas    | WV    | 26036 | 41.129 A Sandhill & O&G Less Coal | DB 652/408 |
| 18 | 7       | 11.2   | Harris     | Wayland W. & Carrie A.     | RR 1 Box 75             | Dallas    | WV    | 26036 | 6.15 Ac Sand Hill                 | DB 630/51  |
| 19 | 7       | 12     | McGlumphly | Gary A. & Patsy R.         | RR 1 Box 77             | Dallas    | WV    | 26036 | 44.987 A Dallas & O&G             | DB 524/505 |
| 20 | 7       | 12.2   | McNinch    | Theron F. & Jody L.        | RR 1 Box 76A            | Dallas    | WV    | 26036 | 16.904 A Dallas & O&G             | DB 619/508 |
| 21 | 7       | 13     | Harris     | Jason R.                   | RR 1 Box 75             | Dallas    | WV    | 26036 | 39.258 Sandhill & O&G             | DB 652/408 |
| 22 | 7       | 14     | Merinar    | Eleanor L., (Life), et al. | RR 3 Box 138            | Wheeling  | WV    | 26003 | 5.42 Sandhill                     | WB 76/513  |
| 23 | 7       | 15     | Merinar    | Lemoyne & Howard L. et al  | RR 3 Box 141            | Wheeling  | WV    | 26003 | 8.89 Sandhill 1/2 O&G & CBM       | WB 76/513  |
| 24 | 7       | 16     | Fredthof   | Robert J. & Robin L.       | RD 3 Box 137            | Wheeling  | WV    | 26003 | 54.99 A Sandhill                  | DB 631/505 |
| 25 | 7       | 16.1   | Howard     | Corey E.                   | RR 3 Box 140C           | Wheeling  | WV    | 26003 | 5.01 A Sandhill RD                | DB 660/381 |
| 26 | 7       | 17     | Campbell   | Mary K. et al              | 490 Ashmoore Court      | Powell    | OH    | 43065 | 46.254 A Sandhill                 | DB 467/632 |
| 27 | 7       | 18     | Hilberry   | Garry L. et ux             | RR 3 Box 142            | Wheeling  | WV    | 26003 | 56.19 Sandhill & O&G              | DB 562/382 |
| 28 | 7       | 20     | Toth       | John J. et ux              | RD 3 Box 133            | Elm Grove | WV    | 26003 | 9.02 Sandhill & O&G               | DB 561/161 |

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, IAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 18th day of April 2011, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 28th day of April 2011 at 1:33 o'clock P.M.

TESTE:

Clerk.